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|-------------------------------|------------------------|-----------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b>   |  |
|                               | 10/785,496             | VAN WOUDENBERG ET AL. |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>       |  |
|                               | Jorge L. Ortiz-Criado  | 2655                  |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 06/13/2005.

2.  The allowed claim(s) is/are 8 and 11-13, renumbered as 1-4 respectively.

3.  The drawings filed on 24 February 2004 are accepted by the Examiner.

4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
  
2. Authorization for this examiner's amendment was given in a telephone interview with Edward W. Goodman on 06/28/2005.
  
3. The application has been amended as follows:

In the claims:

- a. Claims 14 and 15 have been canceled.

In the abstract:

- b. The abstract has been replaced by:

--A predetermined synchronization pattern (40), a so-called VFO field, in, for example, the headers 3 of an information carrier. The predetermined synchronization pattern contains a first part with marks having a first length of (d+1) times the channel bit length, and spaces

having a second length of  $(d+1)$  times the channel bit length, and a second part with marks having a third length of  $(k+1)$  times the channel bit length and spaces having a fourth length of  $(k+1)$  times the channel bit length and a third part, which third part contains marks having a length of  $(k-d)$  times the channel bit length and spaces having a length of  $(k-d)$  times the channel bit length. This sequence of patterns is advantageous for setting the dynamic range of an Automatic Gain Controlled (AGC) amplifier located within a device reading the information carrier. --

***Allowable Subject Matter***

4. Claims 8 and 11- 13 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art made of record (Kobayashi et al. 5,587,975) teaches an information carrier comprising a recording area for writing patterns which represent user information and a header area comprising patterns which represent header information, said header area comprising a synchronization area comprising a predetermined synchronization pattern for synchronizing a clock frequency in a device in which the information carrier is used, characterized in that the predetermined synchronization pattern comprises a first part and a second part, the second part being distinguishable from the first part, characterized in that the predetermined synchronization pattern is composed of marks and of spaces between the marks, and in that the first part of the predetermined synchronization pattern contains marks having a first length and spaces having a

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second length whereas the second part of the synchronization pattern contains marks having a third length and spaces having a fourth length, the first length being different from the third length and the second length being different from the fourth length, characterized in that the header information is converted into patterns in the header area according to a (d,k) Run Length Limited modulation code, in which d represents a predetermined natural number larger than zero and k represents a predetermined natural number larger than d, and the length of each mark and each space expressed as a number of channel bit lengths (T), and in that the first part of the predetermined synchronization pattern contains marks having a first length of (d+1) times the channel bit length, and spaces having a second length of (d+1) times the channel bit length, and the second part of the predetermined synchronization pattern contains marks having a third length of (k+1) times the channel bit length and spaces having a fourth length of (k+1) times the channel bit length.

Applicant's claimed invention is deemed allowable over the prior art of record as the prior art made of record fails to teach or fairly suggest in that the predetermined synchronization pattern also comprises a third part, which third part contains marks having a length of (k-d) times the channel bit length and spaces also having a length of (k-d) times the channel bit length. The features indicated above, in combination with the others elements of the claim, are not anticipated by, nor made obvious over, the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L. Ortiz-Criado whose telephone number is (571) 272-7624. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm),Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**GAUTAM R. PATEL  
PRIMARY EXAMINER**